

Two issues need urgent attention if we are to avoid a recurrence of this kind of illegal behavior on the part of the banks: 1) We must accelerate the formation of the new Consumer Financial Protection Bureau that was created by Congress in the wake of the financial crisis; 2) We need to acknowledge that current interest rates are running as low as 4.6 percent for fixed 15 year loans and look into amending the Service Members Civil Relief Act of 2003 to reflect that reality, thus giving those who leave their families behind to serve our country the best rates available.

[From NPR.org, Jan. 19, 2011]

**BANK OVERCHARGED MILITARY FAMILIES ON MORTGAGES**

(By Tamara Keith)

The banking giant JPMorgan Chase is admitting it made some very big mistakes. As first reported by NBC News, the firm says it overcharged more than 4,000 active-duty military personnel on their home loans and foreclosed in error on 14 of them.

Julia Rowles and her husband, Marine Capt. Jonathan Rowles, have been fighting with Chase ever since Rowles was commissioned as an officer in 2006.

"They would say, 'We will take your house. We will report you to the credit agency. This is a bad situation that you don't want to be getting into. Pay us today.' They were harassing us for money that we did not owe them," Julia Rowles says.

Her husband once got a collection call at 3 a.m. None of that was supposed to happen. Under a federal law called the Servicemembers Civil Relief Act, most troops can get their mortgage interest rates reduced to 6 percent while on active duty, and foreclosures aren't allowed. Rowles says her husband, who is now overseas, was granted the lower interest rate, but Chase didn't adjust its records.

"They kept still charging us 9 and 10 percent, and we were paying upwards to \$2,000 when we should have only been paying \$1,400," she said.

This week Chase said it would send out \$2 million worth of refunds to 4,000 active-duty customers like the Rowles family who were overcharged. It also admitted to wrongfully foreclosing on 14 homes, and said all but one of those cases had been resolved. Bank officials declined an interview request, but in a statement said: "While any customer mistake is regrettable, we feel particularly badly about the mistakes we made here."

But attorney Dick Harpootlian in Columbia, S.C., isn't ready to accept the apology. He's one of the lawyers representing the Rowles family in what he hopes will become a class-action lawsuit against Chase.

"I was a prosecutor for 12 years. Everybody that got caught taking money that wasn't theirs always said they were sorry, offered to give it back and call it even," he said. "And that's just not what ought to happen in cases like this."

Elizabeth Warren, a special assistant to President Obama, says the case illustrates why the U.S. needs a strong consumer financial protection agency. She's putting together the new Consumer Financial Protection Bureau that was created by Congress to look out for consumers in the wake of the financial crisis. The agency will also focus on protecting military families.

"We need a cop on the beat," Warren said. "The laws are in place, but there's no one to enforce them and no one to speak up for these families. This is just wrong."

Warren says the laws exist so service members can concentrate on doing their jobs.

They should not be "worried about paperwork and bills and whether or not a loved

one is being harassed for money that's not even owed."

Warren visited Lackland Air Force Base in Texas on Tuesday to talk to military families about their financial concerns. She was joined by Holly Petraeus, the wife of Gen. David Petraeus, the commander of U.S. forces in Afghanistan.

Holly Petraeus was one of the first hires for the new consumer bureau.

"I really can't think of anything better to be doing while my husband is deployed forever than working on a project like this," she said.

She'll head the office of Service Member Affairs, which will be on the lookout for issues like those at Chase.

**SERVICEMEMBERS CIVIL RELIEF ACT (SCRA) OF 2003**

**MORTGAGE INTEREST RATE REDUCTION FOR ACTIVE DUTY MILITARY PERSONNEL**

This federal law (formerly known as The Soldiers' and Sailors' Civil Relief Act of 1940) provides military personnel important rights and protections as they enter active duty, on issues that include mortgage interest rates, mortgage foreclosure, and credit card interest rates. A major benefit is the ability to reduce mortgage interest rates and consumer debt interest rates (including debts incurred jointly with a spouse) to a 6% limit under certain circumstances. The mortgage or debt must have been incurred before entry into active military service, and the servicemember must show that military service has had a "material effect" on the legal or financial matter involved. This provision applies to both conventional and government-insured mortgages.

SCRA applies to active duty military personnel who had a mortgage obligation prior to enlistment or prior to being ordered to active duty. This includes members of the Army, Navy, Marine Corps, Air Force, Coast Guard; commissioned officers of the Public Health Service and the National Oceanic and Atmospheric Administration who are engaged in active service; reservists ordered to report for military service; persons ordered to report for induction under the Military Selective Service Act; and guardsmen called to active service for more than 30 consecutive days. In limited situations, dependents of servicemembers are also entitled to protections.

The mortgage interest rate limit is not automatic. To request this temporary interest rate reduction, you must submit a written request to your mortgage lender and include a copy of your military orders. The request may be submitted as soon as the orders are issued but must be provided to your mortgage lender no later than 180 days after the date of your release from active duty military service. When you contact your mortgage lender, you should provide the following information: notice that you have been called to active duty; a copy of the orders from the military notifying you of your activation; your FHA case number, if applicable; evidence that the debt precedes your activation date.

When notified that you are on active military duty, your mortgage lender must reduce the interest rate to no more than six percent per year during the period of active military service, recalculate your payments to reflect the lower rate, advise you of the adjusted amount due, provide adjusted coupons or billings, and ensure that the adjusted payments are not returned as insufficient payments. If a mortgage lender believes that military service has not affected your ability to repay your mortgage, they have the right to ask a court to grant relief from the interest rate reduction, but this action is not common.

Interest in excess of 6 percent per year that would otherwise have been charged is forgiven. However, the reduction in the interest rate and monthly payment amount only applies during the period of active duty. Once the period of active military service ends, the interest rate will revert back to the original interest rate, and the payment will be recalculated accordingly.

If you cannot afford to pay your mortgage even at the lower rate, your mortgage lender may allow you to stop paying the principal amount due on your loan during the period of active duty service. Lenders are not required to do this, but they generally try to work with service members to keep them in their homes. In such a case, you would still owe this amount but would not have to repay it until after your complete your active duty service.

Furthermore, mortgage lenders may not foreclose, or seize property for a failure to pay a mortgage debt, while a service member is on active duty or within 90 days after the period of military service unless they have the approval of a court. In a court proceeding, the lender would be required to show that the service member's ability to repay the debt was not affected by his or her military service.

Servicemembers who have questions about the SCRA or the protections that they may be entitled to may contact their unit judge advocate or installation legal assistance officer. Dependents of servicemembers can also contact or visit local military legal assistance offices where they reside. A military legal assistance office locator for each branch of the armed forces is available at the Armed Forces Legal Assistance (AFLA) website.

Most lenders have other programs to assist borrowers who cannot make their mortgage payments. If you or your spouse find yourself in this position at any time before or after active duty service, contact your lender immediately and ask about loss mitigation options. Borrowers with FHA insured loans who are having difficulty making mortgage payments may also be eligible for special forbearance and other loss mitigation options.

**HONORING THE MEMORY OF  
R. SARGENT SHRIVER**

**HON. LAURA RICHARDSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 19, 2011*

Ms. RICHARDSON. Mr. Speaker, I rise today to honor the memory of a giant of public service, Robert Sargent Shriver, Jr. who passed away yesterday at the age of 95. Sargent Shriver was the absolute embodiment of selfless devotion, harnessing the excitement of the Kennedy era to the ideals of volunteerism and assistance to those less fortunate in this country and around the world. The programs he organized have endured for nearly half a century and have become true institutions, affecting generations of Americans.

Mr. Speaker, it is fitting that tomorrow marks the 50th Anniversary of President Kennedy's Inaugural Address. On that cold January day in 1961, a young President inspired the Nation to lift itself up and apply its energies to advancing America and its ideals at home and around the world using those iconic words: "Ask not what your country can do for you, ask what you can do for your country." As one of his chief lieutenants, Sargent Shriver

spread President Kennedy's message far and wide to millions of little boys and girls, some of whom, myself included, rose to heed his call to public service.

Mr. Speaker, since the age of 6 I have wanted to work for others, and though I was a little girl at the time, I was touched by the energy of the times and the spirit of service has never left me. The ideals that Sargent Shriver advocated fell across a generation.

Born in Maryland, Sargent Shriver earned his undergraduate and law degrees at Yale University. Despite organizing a group focused on keeping America out of World War II, he volunteered and served for 5 years in the Pacific with the Navy, achieving the rank of lieutenant and receiving the Purple Heart for wounds suffered at Guadalcanal. He became associated with the Kennedy family, first managing a store in Chicago owned by Joseph Kennedy Sr. and later marrying Eunice Kennedy, John F. Kennedy's sister. He worked on the Kennedy campaign and endeared himself to the newly elected President.

On October 14, 1960, John F. Kennedy gave a speech at the University of Michigan and lingered afterwards with a group of students, the conversation lasting long into the night. During that meeting, they discussed the idea of a government program whereby young Americans would be sent to developing nations to aid in local projects, mostly centering on education, health, and agriculture. President Kennedy assumed office with this program in mind, and on March 1, 1961, the Peace Corps was born with Sargent Shriver as its first director. Volunteers arrived in five countries during 1961. In just under six years, Shriver developed programs in 55 countries with a volunteer count of more than 15,000.

The Peace Corps will also celebrate its 50th Anniversary in March, and it can credit its success to the diligent devotion shown by its first director and to his predecessors who must strive to meet his lofty standards. Sargent Shriver carried the flame of Camelot. Entire generations, inspired by his energy, took up his call to right wrongs, improve their communities, and implement his color-blind approach to administering the government.

In his drive to promote social equality and bring more people to public service, he founded numerous social programs and non-governmental organizations, including the Head Start Program, VISTA, Job Corps, Community Action, Upward Bound, Foster Grandparents, Special Olympics, Legal Services, the National Clearinghouse for Legal Services (now the Shriver Center), and Indian and Migrant Opportunities and Neighborhood Health Services.

His record of service includes representing the U.S. as Ambassador to France, being the 1972 Democratic candidate for Vice-President, practicing international law, and membership on the boards for numerous non-governmental organizations and philanthropic institutions. In his later years, he and his beloved wife, Eunice, organized The Special Olympics and made it an international force for the dignity of the disabled.

Mr. Speaker, Sargent Shriver once said, "The only genuine elite are the elite of those men and women who gave their lives to justice and charity." Today I commend Sargent Shriver's long life and distinguished career. His dedication and work on behalf of others has directly benefited thousands of communities, from the inner cities of the United

States to the most remote villages in Africa. He was the model of civil service and he will be missed.

#### IN REMEMBRANCE OF SARGENT SHRIVER

**HON. THOMAS E. PETRI**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 19, 2011

Mr. PETRI. Mr. Speaker, as a returned Peace Corps volunteer, I rise today to note the passing of Sargent Shriver, who founded the Peace Corps and headed it for its first five years. He was the enthusiastic and committed leader of the new agency, taking it from its founding in 1961 to more than 14,500 volunteers serving in 55 countries by 1966.

I served in the Peace Corps in Somalia in 1966 and 1967 and saw firsthand the contribution that Peace Corps volunteers make to the communities they serve, as well as the effect service has on the volunteers. Fifty years later, the continued selfless and noble service outside our borders remains a testament to the timeless American ideals demonstrated and encouraged by Sargent Shriver.

But it wasn't just the Peace Corps. Sargent Shriver led a life of service, founding the Office of Economic Opportunity and helping to develop its many programs. From 1968 to 1970, he was our able ambassador to France during a difficult time in our relations with that country. In 1972, he ran for Vice President with George McGovern and then ran for President in 1976.

And yet, there are many people who are unfamiliar with Sargent Shriver's service and achievements. His biographer, Scott Stossel, told the Washington Post that it's hard to find another American figure where the disproportion between how much he accomplished and how little he is known is so large.

Let us pause to mark the passage of this public servant and say "thank you."

#### FEDERAL COMMUNICATIONS COMMISSION (FCC) APPROVAL OF MERGER OF NBC UNIVERSAL AND COMCAST

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 19, 2011

Mr. KUCINICH. Mr. Speaker, yesterday the FCC approved the takeover of NBC, a television network, by Comcast, a cable TV and internet provider.

One condition of the merger's approval is that the combined company must not restrict access to any lawful online content. Another condition is that the merged company cannot give better treatment online to its own content than to the content produced by others. Comcast now has 23 million cable TV subscribers, and 16 million internet subscribers, making it the largest internet and cable TV service provider in the US. With such a pervasive conglomerate, it seems unlikely that these restrictions will ensure equal access to the internet, whose creation was funded by taxpayers.

Like any powerful tool, the internet must be protected from falling into the control of any one entity or entities which have too much authority to decide who can access it and what content they can put there. We need real Net Neutrality, not the FCC's recent proposal, which I will fight to strengthen.

#### RULES OF THE COMMITTEE ON WAYS AND MEANS FOR THE 112TH CONGRESS AS ADOPTED BY THE COMMITTEE ON JANUARY 18, 2011

**HON. DAVE CAMP**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 19, 2011

Mr. CAMP. Mr. Speaker, I submit the following.

#### A. GENERAL

##### RULE 1. APPLICATION OF HOUSE RULES

The rules of the House are the rules of the Committee on Ways and Means and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, is a non-debatable motion of high privilege in the Committee.

Each subcommittee of the Committee is part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as applicable. Written rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each subcommittee of the Committee.

The provisions of rule XI of the Rules of the House are incorporated by reference as the rules of the Committee to the extent applicable.

##### RULE 2. MEETING DATE AND QUORUMS

The regular meeting day of the Committee on Ways and Means shall be on the second Wednesday of each month while the House is in session. However, the Committee shall not meet on the regularly scheduled meeting day if there is no business to be considered.

A majority of the Committee constitutes a quorum for business; provided however, that two Members shall constitute a quorum at any regularly scheduled hearing called for the purpose of taking testimony and receiving evidence. In establishing a quorum for purposes of a public hearing, every effort shall be made to secure the presence of at least one Member each from the majority and the minority.

The Chairman of the Committee may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet pursuant to the call of the Chair.

##### RULE 3. COMMITTEE BUDGET

For each Congress, the Chairman, in consultation with the Majority Members of the Committee, shall prepare a preliminary budget. Such budget shall include necessary amounts for staff personnel, travel, investigation, and other expenses of the Committee. After consultation with the Minority Members, the Chairman shall include an amount budgeted by Minority Members for staff under their direction and supervision.

Thereafter, the Chairman shall combine such proposals into a consolidated Committee budget, and shall present the same to